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HOUSE BILL 859

49TH LEGISLATURE - STATE OF NEW MEXICO - FIRST SESSION, 2009

INTRODUCED BY
Rhonda S. King

AN ACT

RELATING TO LIENS; REDUCING THE TIME A LIEN IS VALID WITHOUT
THE FILING OF A CLAIM IN COURT.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

Section 1. Section 48-2-10 NMSA 1978 (being Laws 1880,
Chapter 16, Section 9, as amended) is amended to read:

"48-2-10. LIMITATION OF ACTION TO ENFORCE.--No lien
provided for in Sections 48-2-1 through 48-2-17 NMSA 1978
remains valid for a longer period than [~~two years~~] six months
after the claim of lien has been filed unless proceedings have
been commenced in a court of competent jurisdiction or in
binding arbitration within that time to enforce the lien. A
contingent payment clause in a contract shall not be construed
as a waiver of the right to file and enforce a mechanic's or
materialman's lien pursuant to Sections 48-2-1 through 48-2-17

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NMSA 1978."

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